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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,341	03/04/2002	Cary Lee Bates	ROC920010348US1	3890

7590 11/02/2005

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EXAMINER

FRANCIS, MARK P

ART UNIT

PAPER NUMBER

2193

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/090,341

Applicant(s)

BATES ET AL.

Examiner

Mark P. Francis

Art Unit

2193

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 September 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.


TODD INGBERG
PRIMARY EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: Applicant arguments have been carefully considered but are not persuasive. Following is the Examiner's response.

With respect to claims 1 and 9, Applicant argues that Wimble does not teach or disclose the executable code accessing the associated data from the data repository.

The Examiner disagrees, notes Col 8, lines 16-49, it is here that Wimble et. al discloses symbolic properties of the program components that contain data that change during program execution. Wimble also discloses that the symbolic properties change themselves on demand to generate the symbolic data that is stored within. In addition Wimble discloses, a database that includes a collection of Symbolic Elements which model a program that is to be built, and maintain a description of the program when it is built. Thus, Wimble does disclose the executable code accessing the associated data from the data repository.

Also, the Applicant essentially argues that Wimble does not disclose the limitation of determining whether the monitored executable code has accessed the associated data in the data repository, and if so, determining whether to display the associated data on the basis of whether the associated data is restricted data.

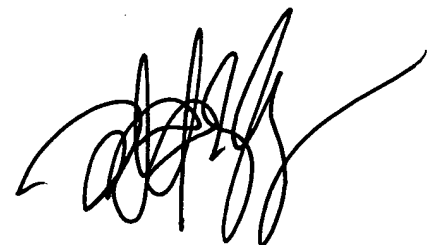
In response the Examiner disagrees, notes Col 8, lines 50-67, Wimble discloses an Editor that creates and deletes components by allowing direct modification of text. Also, Wimble discloses a Stack Viewer that displays one part of the dynamic state of the program, the program call stack, which displays the functions that are currently being called as subroutines. Also, Col 8, lines 1-15, Wimble teaches a Dynamic Source Viewer that takes a thread component as input and displays the interface or implementation Property and the program text. Thus, Wimble does disclose the limitation of determining whether the monitored executable code has accessed the associated data in the data repository, and if so, determining whether to display the associated data on the basis of whether the associated data is restricted data.

With respect to claims 1 and 9, Applicant argues that Kim fails to disclose a debug engine configured to selectively pass data to the debugger user interface according to predefined access restriction rules defining at least one rule prohibiting at least a portion of the associated data from being displayed to a user operating the debug program, whereby selected data from the data repository is concealed from the user debugging the executable code.

In response the Examiner disagrees, notes Col 14, lines 58-67, Kim discloses a debug server that performs a security check to ensure that the user is authorized to initiate a requested process such as the name of a program file to be debugged. Also, the Examiner notes Col 11, lines 48-67, here Kim discloses during a debugging session, a programmer might want to hide or conceal certain program detail. Thus, Kim does disclose a debug engine configured to selectively pass data to the debugger user interface according to predefined access restriction rules defining at least one rule prohibiting at least a portion of the associated data from being displayed to a user operating the debug program, whereby selected data from the data repository is concealed from the user debugging the executable code.

With respect to claim 16, Applicant essentially argues that Kim argues that Kim does not teach a debug engine configured to selectively pass data to the debugger user interface according to predefined access restriction rules defining at least one rule prohibiting at least a portion of the associated data from being displayed to a user operating the debug program, whereby selected data from the data repository is concealed from the user debugging the executable code.

The Examiner disagrees, notes notes Col 14, lines 58-67, Kim discloses a debug server that performs a security check to ensure that the user is authorized to initiate a requested process such as the name of a program file to be debugged. Also, the Examiner notes Col 11, lines 48-67, here Kim discloses during a debugging session, a programmer might want to hide or conceal certain program detail. Thus, Kim does disclose a debug engine configured to selectively pass data to the debugger user interface according to predefined access restriction rules defining at least one rule prohibiting at least a portion of the associated data from being displayed to a user operating the debug program, whereby selected data from the data repository is concealed from the user debugging the executable code.



TODD INGBERG
PRIMARY EXAMINER